

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DUPONT DE NEMOURS AND
COMPANY and
PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

UNOPPOSED MOTION FOR BRIEF EXTENSION OF TIME

Plaintiffs Monsanto Company and Monsanto Technology LLC (collectively, “Monsanto”) respectfully request a brief three-day extension of time to complete its production of documents in this case. The Court’s Second Amended Case Management Order (Dkt. # 350) provided that the parties will complete their document productions no later than November 1, 2010. Monsanto has made every reasonable effort to comply with the Court’s Order, but requests a brief extension of that deadline for the reasons stated below:

1. As of Friday, October 29, 2010, Monsanto has produced to Defendants 73,017 documents, consisting of 649,690 pages.
2. By the close of business today, November 1, 2010, Monsanto will produce 70,636 documents, consisting of 921,533 pages.
3. Monsanto is also sending by overnight courier from its vendor site in San Francisco another 19,118 documents, consisting of 345,049 pages, which will be hand delivered to Defendants by tomorrow morning.

4. Monsanto, however, will not be able to complete its production of estimated 15,000 remaining documents by today.

5. Monsanto's document production has been briefly delayed by technical difficulties experienced by third-party vendors responsible for delivery of the materials to be produced. Those vendors continue experiencing delays in converting the documents to the production format agreed upon by the parties.

6. At this time, Monsanto anticipates completing its remaining production of approximately 15,000 documents by Wednesday, November 3, 2010, although the vendor-related delays may push the end of Monsanto's production to Thursday, November 4, 2010.

7. Monsanto has notified Defendants of these delays, and Defendants are amenable to this brief extension.

WHEREFORE, Monsanto respectfully requests that the Court issue an order extending the deadline for completion of Monsanto's document production of the documents identified in paragraph 6 above to this Thursday, November 4, 2010.

Dated: November 1, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 1st day of November, 2010, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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